

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Stephen J. Elledge, et al.

Serial No.: 09/122,384

Filed: July 24, 1998

For: RAPID SUBCLONING USING SITE-  
SPECIFIC RECOMBINATION

Group Art Unit: 1636

Examiner: Yucel, I.

Atty. Dkt. No.: BAY136/4-010CIP

#39

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of paper 40*

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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Patents, Washington, DC 20231, on the date below:

February 25, 2002  
Date

Timothy S. Corder

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Third Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents (References B18-B22 and C221-C230) required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

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construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed after three months of the filing of the present application and after the receipt of a first Official Action on the merits but before receipt of a Final Office Action UNDER 37 C.F.R. §1.113, or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p) for submission of an Information Disclosure Statement is also enclosed. If the referenced check is inadvertently omitted or deficient, or should an overpayment be included herein, the Assistant Commissioner is authorized to appropriately deduct or credit the requisite amount from Vinson & Elkins L.L.P. deposit account No. 22-0365/BAY136/4-010CIP.

Respectfully submitted,



Timothy S. Corder  
Reg. No. 38,414  
Agent for Applicant

Vinson & Elkins L.L.P.  
2300 First City Tower  
1001 Fannin  
Houston, Texas 77002-6760  
512/495-8446

Date: February 25, 2002

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### INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ELLEDGE ET AL.

**FILING**

**JULY 24, 1998**

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**U.S. PATENT DOCUMENTS**

[illegible]

**FOREIGN PATENT DOCUMENTS**

[illegible]

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	C227	Odell et al., "Seed-Specific Gene Activation Mediated by the Cre/lox Site-Specific Recombination System," Plant Physiol., 106:447-458, 1994.
	C228	Qin et al., "Cre recombinase-mediated site-specific recombination between plant chromosomes," Proc. Natl. Acad. Sci. USA, 91:1706-1710, 1994.

**EXAMINER**

**DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

